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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/881,532

06/14/2001

Jeffrey A. Pritchard

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02/06/2008

KYOCERA WIRELESS CORP.

P.O. BOX 928289

SAN DIEGO, CA 92192-8289

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT

PAPER NUMBER

2614

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DELIVERY MODE

02/06/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/881,532

Applicant(s)

PRITCHARD, JEFFREY A.

Examiner

Rasha S. AL-Aubaidi

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 36-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This in response to amendment filed 01/16/2008. No claims have been added. No claims have been canceled. Claims 36, 38, 45, 56, 57, 58, 59, 60, 61, 62 and 63 have been amended. Claims 36-63 are still pending in this application with claims 36, 38, 45, 56 and 63 being independent.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 36-43, 44-45, 56-62 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlager et al. (US PAT # 6,198,390) in view of Hollenberg (US PAT # 6,091,956) and in view of Leapman et al. (Patent Application Publication US 2002/0087401) and further in view of Devitt et al. (US PAT # 6,947,976).

Regarding claim 36, Schlager teaches a method for providing location-based responses (see col. 6, lines 25-28) to a user utilizing a wireless communications device (remote station 302, see col. 12, lines 1-2, see also, Fig. 7 and 8), the method comprising the steps of: the user storing at least one target location in a memory of the wireless communication device (reads on the separation distance, see col. 11, lines 55-

57); the user storing at least one target range (the target range reads on the received field, see col. 12, lines 39-46) in the memory (reads on circuit 328, see col. 12, lines 11-13), the target range corresponding to the at least one target location and defining a surrounding target area that includes the at least one target location (see col. 7, lines 49-57 and col. 8, lines 60-67); determining whether the present location within the target area of at least one target location utilizing a processor of the wireless communication device (see col. 12, lines 16-48 and col. 15, lines 1-16).

Schlager does not specifically teach “the user storing a specific activity associated with at least one target location in the memory” and “outputting the specific activity associated with at least one target location”.

However, Hollenberg teaches a wireless system for providing services and time-critical information about places and events to mobile computers and their users proximate to their current locations or potential destinations (see abstract, Figs 3-4 and col. 16, lines 11-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of providing information to users based on their destinations (i.e., activities), as taught by Hollenberg, into the Schlager system in order to provide the user with speed and convenience by supplying him/her with the desired information at the desired time.

The combination of Hollenberg and Schlager does not specifically teach “the user storing specific activity associated with at least one target location in the memory before entering the target range”.

However, Leapman teaches loading in the memory 250 of the mobile device (see ¶0026, Fig. 2 and ¶ 0019) acceptance data that has related personal information such as, suggesting a watch, gift certificate...etc for “Dad’s Birthday” event on the calendar events. Or the variable could be an advertisement for a grocery store having a promotion sale on “Skim milk”, see ¶ 0026 and ¶0031). This information will be entered at first and prior to receiving any advertisements or reminders.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of having information entered in the memory before the occurrence of any event, as taught by Leapman, into the combination of Hollenberg and Schlager in order to arrange the users data based on his/her desire. For example, entering the desired information about products or events will remind the user about these events. In conclusion, this will provide speed and convenience to the user.

The combination of Schlager, Hollenberg and Leapman does not specifically teach the newly cited limitation of “the user storing content related to the specific activity” and “outputting the content related to the specific activity”.

However, Devitt teaches in a system and method for providing location based and time based information to a user. The activity site information 68 can include names and descriptions of events that have taken place, are taking place or scheduled to take place at the activity site (col. 7, lines 33-52).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of “storing content related to specific activity”, as taught by Devitt, into the combination of Schlager, Hollenberg and Leapman in order to enhance the system's efficiency by relating each content to the corresponding event. This will help the user organize and plan specific events ahead of time and store this information to be use at other time when needed. Other advantageous are well known in the art.

Claims 38-42, 44, 56, 59 and 62-63 are rejected for the same reasons as discussed above with respect to claim 36. For claim 38, the claimed “a plurality of physical locations” reads on storing several geographical areas information, (see col. 20, lines 22-65 in Schlager). The claimed “specific task” reads on user's certain activities. For example, providing certain information about merchandise when the user

is shopping (see Fig. 4 in Hollenberg). The claimed "processor" as recited in claim 40 reads on the processor functionality as discussed in Hollenberg col. 25, lines 32-55. For claim 41, the claimed "audio conveyance" reads on the audible alarm 254 (see Schlager col. 11, lines 55-59).

Claim 37 recites "the user interface is a display, and wherein the indication is a text display of the specific activity". See col. 16, lines 11-24 and Fig. 4 in Hollenberg.

Claim 57 is rejected for the same reasons as discussed above with respect to claim 37.

For claims 39-40, see col. 7, lines 34-60 in Schlager.

Claim 43 basically recites the use of (GPS), see col. 3, lines 57-60 in Schlager.

Claims 58 and 60-61 limitations are obvious and well known in the art.

#### ***Claim Rejections - 35 USC § 103***

4. Claim 50-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlager et al. (US PAT # 6,198,390).

Regarding claim 50, Schlager teaches the mobile wireless communications device is a wireless handheld communications device (remote station 302, see col. 12, lines 1-2, see also, Fig. 7 and 8).

However, Schlager does not specifically teach the wireless handheld communications device is a laptop, a pager, or a PDA.

Therefore, having the mobile wireless communications device as a laptop computer with a wireless modem, a pager or a personal digital assistant (PDA) would have been obvious since a mobile device can be any one of the above mobile wireless communications devices that the user can carry with him/her at any time and place. Using different type of devices provide the user with the flexibility and convenience.

Claims 51-52 recite the limitations “the target range area is programmed as a two-dimensional shape, and as a three-dimensional space”. It is obvious to one of an ordinary skill in the art since to choose and program the target range area in any shape and space desired. An area is generally two-dimensional and a building is generally three-dimensional because the height is a dimension in buildings.

***Claim Rejections - 35 USC § 102***

5. Claims 45-49, 53-55 and 63 are rejected under 35 U.S.C. 102(e) as being anticipated by Schlager.



For claim 45, the claimed “wireless communications network” reads on networks Cellular phone network 538, Wireless network 540, and radio relay network 542 (see Fig. 17), the claimed “antenna” reads on antenna 306 and/or antenna 322 (see col. 12, lines 1-8); the claimed “memory” reads on circuit 328 (see col. 12, lines 11-13); the claimed “user input device” reads on numerals 150 to enter information (see col. 9, lines 18-20); and the claimed “controller” reads on element 378 (see Fig. 12). The claimed feature of “outputting the target message on the at least one output device without communicating with any one of the plurality of target locations” is inherent. There is no citation the Schlager reference refers that when outputting the target message on the output device a communication will occur to the target location.

For claim 46, see display 324 (Fig. 11).

Claim 47 basically recites the use of (GPS), see col. 3, lines 57-60.

For claims 48-49, see wireless communications network (540) and cellular communications network (538), see col. 15, lines 38-47.

Regarding claim 53, Schlager teaches the target range area is time sensitive (see col. 21, lines 54-65). Also this can be inherent feature.

Claims 54-55 basically read on providing an audible message 254 (col. 11, lines 55-59).

***Response to Arguments***

6. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

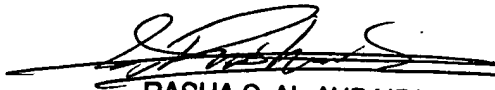
***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on (571) 272-7493.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Art Unit 2614**  
**02/01/2008**

  
RASHA S. AL-AUBAIDI  
PRIMARY EXAMINER